



GEORGIA HOUSE OF REPRESENTATIVES

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COMMITTEE DAY REPORT

Tuesday, March 21, 2006

Agriculture & Consumer Affairs

SB0380 Agricultural Commodity Commission; equines; definitions; change provisions

- This bill creates an Agricultural Commodities Commission for Equines, which would aid in advertising, sales and trade promotion. The commission is to be composed of the Commissioner of Agriculture (ex-officio), the president of the Georgia Farm Bureau (ex-officio), one member selected by the Senate Agriculture and Consumer Affairs committee, one member selected by the House Agriculture and Consumer Affairs committee, and five additional members who shall be appointed by the members of the commission specified above. The sale of license plates depicting the equine industry are to be used to fund the commission. At least 1000 plates must be pre-sold and the legislation for such plates is in the omnibus plate bill before the legislature. A constitutional amendment must be ratified to designate license plate funds for the Agricultural Commodities Commission for Equines. If not, there is a January 1, 2007, repealer if not ratified.

- **Authored By:** Sen. Brian Kemp

- **Committee Action:** Do Pass by Substitute

SB0453 Biodiesel Fuels; require use by certain vehicles operated by local school districts; local governments

- This bill would urge state and local governments (especially schools systems) to use biodiesel as at least 2% of their total volume of fuel consumption beginning January 1, 2008, when it is believed such fuel would be available in quantity sufficient to provide a competitive price. The bill is intended to move Georgia toward greater use of bio-fuels (of which biodiesel is a part).

- **Authored By:** Sen. Brian Kemp

- **Committee Action:** Do Pass by Substitute

SB0613 Farmers' Markets; provide safety/security; law enforcement on the premises

- There is concern at both the Dept. of Agriculture and the Dept. of Law that the current language in the code is too weak relating to farmer's markets and the authority of the commissioner to provide for safety and security. The concern is if a case is made against a perpetrator, the authority in the code relative to market police may be too weak and a challenge may be made that the neither the officers (market police) involved nor the commissioner of agriculture have the authority to make such cases. This legislation is designed to improve the commissioner's standing in court and clarifies what certifications the market police must have. There has always been a market police at the state farmer's markets, but this just brings them inline with other similar public safety/police functions.

- **Authored By:** Sen. John Bulloch

- **Committee Action:** Do Pass

SB0636 Biodiesel Fuel; define term

- This bill would designate a definition for biodiesel fuel to mean the standard as adopted by the American Society of and Testing and Materials standard D-6751. This bill would make it a misdemeanor to produce biodiesel fuel for sale that does not meet the D-6751 Standard.

- **Authored By:** Sen. John Bulloch

- **Committee Action:** Do Pass by Substitute

Banks & Banking

SB0505 Mortgage Broker/Lender License; exempt certain exclusive agents

- SB 505 would exempt the following individual from the requirement of obtaining a mortgage broker or mortgage lender license: An individual who is under an exclusive written independent contractor agreement with any person that is a wholly owned subsidiary of a financial holding company or bank holding company, savings bank holding company, or thrift holding company; -and- The subsidiary has a surety bond equal to the lesser of \$1 million or \$50,000.00 per exempt person; -and- The subsidiary has applied for and been granted a mortgage broker or mortgage lender license; -and- The subsidiary has paid applicable fees for this license - the lesser of one-half of the sum of the cost of the individual licenses or \$100,000.00.

- **Authored By:** Sen. Don Balfour

- **Committee Action:** Do Pass

Education

SB0288 Grade Integrity Act; teacher not required to change grade; ethical violation

- This bill provides that no classroom teacher shall be requires, coerced, intimidates, or disciplined in any manner to change the grade of a student, and if the aforementioned occurs, it shall constitute an ethics violation reportable to the Professional Standards Commission. This shall not prevent a school administrator from discussing a student's grade with a teacher. This does not prevent a central office administrator, superintendent or local school administrator from changing the grade provided that the person responsible for the change must be indicated on the student's record. Finally, no classroom teacher may be dismissed due to a disagreement stemming from disputes over grades.

- **Authored By:** Sen. Chip Rogers

- **Committee Action:** Do Pass

SB0413 Compulsory School Attendance Law; exemptions; provide local board of education policies; minimum annual attendance; change provisions

- Section 1 of this bill changes the age for mandatory attendance in schools from sixteen to fifteen. It further provides that an un-emancipated minor older than the age of mandatory attendance may not withdraw without written parental consent and for a conference between the parent, student, and principal or designee to inform the student of the consequences of that decision. It also provides for local school boards to adopt policies on withdrawal. Section 2 changes an exemption from completion of all grades to requirements for a high school diploma. Section 3 changes compulsory attendance from ages seven to sixteen to ages six to fifteen. Section 3.1 eliminates the requirement for school bus route schedules. Section 4 provides for annual written parental or legal guardian permission in order for students to join specifics clubs or activities. It also requires annual notification of information regarding the specific clubs or activities. It also provides that schools shall comply with the wishes of parents and legal guardians.

- **Authored By:** Sen. Dan Moody

- **Committee Action:** Do Pass

SB0515 Quality Basic Education Act; expand grades of eligibility for remedial education program

- Section 1 of this bill expands remedial education to include grades six through eight. Section 2 changes provisions relating to the determination of enrollment by institutional program. Section 3 changes provisions relating to equalization grants. Section 4 revises definitions relating to capital outlay funds generally for purposes of conformity. Section 5 provides an effective date.

- **Authored By:** Sen. Dan Moody

- **Committee Action:** Do Pass

SB0610 Charter Schools; virtual/remote setting; computer/internet based instruction for students

- This bill clarifies current law by adding language to the charter school language that would allow virtual instruction in a charter school.

- **Authored By:** Sen. Dan Moody

- **Committee Action:** Do Pass

SB0618 Quality Basic Education Act; eligibility of enrollment; children in custody; Dept. of Human Resources/Juvenile Justice; change provisions

- This bill changes certain provisions relating to eligibility enrollment for children in the custody of the Department of Juvenile Justice or the Department of Human Resources. It provides that funding from the state be given to local boards to fund children in the custody of the Dept of Human Resources or the Dept of Juvenile Justice.

- **Authored By:** Sen. Dan Moody

- **Committee Action:** Do Pass

Governmental Affairs

SB0500 2006 Georgia Accuracy in Elections Act; permanent paper record of votes; provide for pilot program/electronic voting

- This bill requires all electronic recording voting systems to produce a permanent paper record of the votes recorded on such systems for each voter. SB 500 gives the voters an opportunity to verify such record after voting. This bill also provides for certain storage devices for such systems and for the retention of records for use in recounts and election challenge proceedings. Further, SB 500 provides for a pilot program during the 2006 November general election and any runoff there from in certain counties.

- **Authored By:** Sen. Bill Stephens

- **Committee Action:** Do Pass by Committee Substitute

Judiciary - Civil

SB0306 Hospital/Nursing Home Liens; change notice/filing provision; effect of release

- NO SUMMARY AVAILABLE

- **Authored By:** Sen. Bill Hamrick

- **Committee Action:** Do Pass

SB0420 Care of a Grandchild Act; power of attorney from parent to grandparent; create pilot program to provide subsidy to certain grandparents

- Allows that parents may delegate to grandparents of a minor child powers of attorney and provides for a pilot program to provide for subsidies for certain grandparents raising grandchildren

- **Authored By:** Sen. Renee Unterman

- **Committee Action:** Do Pass by Committee Substitute

SB0525 Tax Executions; change provisions regarding issuance; definition; procedures

- Provides that the owner of record will be responsible for delinquent taxes bills unless, within ninety days, it can be proven that payment of ad valorem taxes have been transferred to a new records owner.
- **Authored By:** Sen. Tommie Williams
- **Committee Action:** Do Pass by Committee Substitute

SB0530 Property; liens; change provisions; conditions; value

- This bill would provide that any special lien, related to mechanics and material men – as specified in subsection (a) of Code Section 44-14-361 – may attach to the owner of the real estate on which the service was performed. Further, the bill outlines the conditions under which the liens attach, including the value of the work done and materials furnished in any easement or public right of way.
- **Authored By:** Sen. Dan Weber
- **Committee Action:** Do Pass

SB0569 Local Government; newly created municipalities; change provisions; removal of new municipal corporations

- Creates code section 36-31-11.1 so as to express the legislatures intent that residents of a new municipality receive full credit for taxes aid for police stations, fire stations, and parks. Further provides that a municipality may buy property from the county for these purposes. Allows for a new municipality to continue to be apart of a special district for fire services, if so desired. Provides procedures for a municipality buying and transferring land from the county. Provides for procedures when a price cannot be agreed upon by the county and municipality. Bill amends 36-82-1 so as to require a statement of intention be fully binding upon the governing authority in the event a new municipality is crated in a county subsequent to the referendum in which indebtedness is approved and bond funds will be expended within the new municipality.
- **Authored By:** Sen. Dan Weber
- **Committee Action:** Do Pass by Committee Substitute

SB0573 Land Transactions; development of condominium property; escrow funds

- Provided that the seller may withdraw escrow funds in excess of 1 percent of the purchase price of a condominium in order to fund construction and development of the condominium property
- **Authored By:** Sen. Joseph Carter
- **Committee Action:** Do Pass by Committee Substitute

SB0585 Tax Executions; provide ad valorem property taxes/assessments governed by Title 48; purchase/transfer of rights

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- **Authored By:** Sen. David Shafer
- **Committee Action:** Do Pass by Committee Substitute

Judiciary Non-Civil

SB0064 Law Enforcement Motor Vehicles; blue lights on roof; enforce requirement

- This bill would exempt a law enforcement vehicle that has flashing or revolving colored lights and an illuminating agency identifier reasonably visible to a driver from the requirement that the vehicle have permanent roof-mounted blue lights. Further the bill would allow a motorist being stopped by an officer to continue to drive until the motorist finds a reasonably safe place to stop, and would require the motorist to flash his or her lights to indicate to the officer that he or she is looking for a safe place to stop.
- **Authored By:** Sen. John Douglas
- **Committee Action:** Do Pass by Committee Substitute

SB0396 Crimes; person who is attacked has no duty to retreat; provide immunity from prosecution

- This bill would allow that a person who is attacked has no duty to retreat and has the right to meet force with force, including deadly force. Further the bill would provide for immunity from prosecution.
- **Authored By:** Sen. Greg Goggans
- **Committee Action:** Do Pass

SB0503 Ga. Public Defender Standards Council; legal services to indigent persons; change provisions

- Changes certain provisions relating to the Georgia Public Defender Standards Council and the provision of legal services to indigent persons, clarifies that the application fee for indigent defense services is not a prerequisite to obtaining legal services, specifies the types of standards that shall be submitted to the General Oversight Committee for the Georgia Public Defender Standards Council, and changes certain provisions relating to the budget for the Office of the Georgia Capital Defender
- **Authored By:** Sen. Bill Hamrick
- **Committee Action:** Do Pass by Committee Substitute

SB0606 Funerals; prohibit disruptive conduct; elements of such offense; provide criminal penalty

- Prohibits disruptive conduct at funerals or memorial services and provides that any violation of the new Code section will be punished as a misdemeanor.
- **Authored By:** Sen. John Douglas
- **Committee Action:** Do Pass by Committee Substitute

SR0793 Ga. Public Defender Standards Council; ratifying the initial minimum standard; Standard for Removal for Cause

- Ratifies the performance standards set by the Public Defenders' Standards Council for removal of a circuit public defender for cause
- **Authored By:** Sen. Bill Hamrick
- **Committee Action:** Do Pass

SR0954 Performance Standards; ratifying the initial minimum standard; fiscal impact

- Ratifies the performance standards set by the Public Defenders' Standards Council for criminal defense representation for indigent defendants
- **Authored By:** Sen. Bill Hamrick
- **Committee Action:** Do Pass

SR0955 Performance Standards in Juvenile Court; ratifying the initial minimum standard; fiscal impact

- Ratifies the performance standards set by the Public Defenders' Standards Council for criminal defense representation for juvenile defendants
- **Authored By:** Sen. Bill Hamrick
- **Committee Action:** Do Pass

Motor Vehicles

SB0481 Motor Vehicles; registration/licensing; permit military personnel; minimum motor vehicles liability insurance through purchase in other states

- Permits military personnel whose vehicles are registered in Georgia and have Georgia license plates who are stationed in other states as part of their military assignments and duties to meet their obligations

concerning minimum motor vehicle liability insurance through the purchase of certain insurance in such other states.

- **Authored By:** Sen. Bill Stephens
- **Committee Action:** Do Pass

SB0500 2006 Georgia Accuracy in Elections Act; permanent paper record of votes; provide for pilot program/electronic voting

- This bill requires all electronic recording voting systems to produce a permanent paper record of the votes recorded on such systems for each voter. SB 500 gives the voters an opportunity to verify such record after voting. This bill also provides for certain storage devices for such systems and for the retention of records for use in recounts and election challenge proceedings. This is to be a pilot program during the 2006 November general election and any runoff there from in certain counties, and will expire January 1, 2007.

- **Authored By:** Sen. Bill Stephens
- **Committee Action:** Do Pass by Committee Substitute

SB0523 License Plates; special; honoring family members of service members killed in action; issuance; renewal; fees

- This bill provides for a special license plate honoring the family members of service members who have been killed in action.

- **Authored By:** Sen. Johnny Grant
- **Committee Action:** Do Pass by Committee Substitute

SB0538 License Plates, Special; supporting Global War on Terrorism and Iraqi Freedom; provide issuance; renewal; fees

- This bill provides for special license plates supporting the Global War on Terrorism and Operation Iraqi freedom.

- **Authored By:** Sen. John Douglas
- **Committee Action:** Do Pass

SB0539 License Plates, Special; supporting Global War on Terrorism and Operation Enduring Freedom; provide issuance; renewal; fees

- This bill provides for special license plates supporting the Global War on Terrorism and Operation Enduring Freedom.

- **Authored By:** Sen. John Douglas
- **Committee Action:** Do Pass

SR0804 North Fulton Boundary Commission; create

- Creates the North Fulton Boundary Commission.
- **Authored By:** Sen. John Douglas
- **Committee Action:** Do Pass by Committee Substitute

Natural Resources & Environment

SB0191 Environmental Advisory; expedited review for permits under contract

- This bill is intended to address two key issues: (1) expedited permitting for environmental permits issued by the Georgia Environmental Protection Division (EPD), and (2) to address the issue of speculative water withdrawal permit applications stemming from the moratorium in the Flint River Basin. The first part deals with expedited permitting from EPD would allow the Director of EPD to designate certain qualified individuals to evaluate and recommend approval for environmental permits. The bill would provide for a non-refundable \$250 permit application fee for applications received on or after the effective date of this legislation (upon signature of the Governor). Further, provides for a 25 year term-limit on permits issued, which may be renewed at the original permitted capacity unless an evaluation of the water supply

indicates that the renewal at original capacity would have unreasonable effects upon other water uses. The bill does provide for transfer of the permit with the land to the new owner should the land be sold. Provides for revocation of the permit if water use has not commenced within two years unless the permittee can reasonably demonstrate that his or her nonuse was due to financial hardship or circumstances beyond his or her control.

- **Authored By:** Sen. Ross Tolleson

- **Committee Action:** Do Pass by Substitute

SB0510 Natural Resources; river corridors; minimum standards/procedures for protection; change certain provisions

- The bill would require EPD to create a variance procedure that would allow variances from the setbacks. Single family homes on two acres are exempted, so long as they comply with the local zoning regulations, and septic tanks (but not drain fields) would be allowed within the setbacks, but no closer than 25 or 50 feet, depending on the setback classification of the particular stream (warm water or trout stream, for example). The bill also states that, in addition to complying with the 150 setbacks, counties may also adopt storm water ordinances to aid in maintaining water quality.

- **Authored By:** Sen. Chip Pearson

- **Committee Action:** Do Pass by Substitute

SB0578 Commercial Waste Tank Truck; rules/regulations of Dept. of Human Resources

- This bill addresses an issue of duplication of government services and fees for small businesses. EPD and DHR provide and require the same inspection for the same septic tank waste and waste grease hauling trucks, charging two different fees. Then if the truck goes into another county, that county may also charge the fees again. The bill provides that a company can have their trucks inspected by EPD OR DHR, and that one inspection will be accepted statewide.

- **Authored By:** Sen. Jim Whitehead

- **Committee Action:** Do Pass

Public Utilities & Telecommunications

SR1081 Georgia Broadband Education Task Force; create

- This resolution calls for the creation of the Georgia Broadband Education Task Force to better educate citizens of the State of Georgia about the advantages of Broadband technology. The goal is to make Georgians more aware of the technology so they will learn to use it and enhance their daily lives and to make economic growth reach maximum capacity in this state.

- **Authored By:** Sen. Jim Whitehead

- **Committee Action:** Do Pass

Special Rules

No Legislative Action was taken.

Transportation

SB0150 Georgia Community Streetcar Development/ Revitalization Act; implement program

- This bill will create, at the state level, a program to serve as a flow through for federal funds for streetcar projects. This bill outlines the steps an applicant for such projects must take in order to be granted the project. The bill also prohibits the use of state bonds to finance streetcar development projects.

- **Authored By:** Sen. Sam Zamarripa

- **Committee Action:** Do Pass by Committee Substitute

SR0873 Parish, Emory; commend

- This resolution combines SR 873 and 3 House Resolutions that were tacked on. All of the resolutions dedicate either bridges or portions of road throughout the state.
- **Authored By:** Sen. Doug Stoner
- **Committee Action:** Do Pass by Committee Substitute

SR1028 Dr. Luke Glenn Garrett, Jr. Memorial Highway; dedicate

- This resolution combines SR 1028 and 2 House Resolutions that were tacked on. All of the resolutions dedicate either bridges or portions of road throughout the state.
- **Authored By:** Sen. Steve Thompson
- **Committee Action:** Do Pass by Committee Substitute

SR1034 SGT Mathew Vincent Gibbs Memorial Bridge; dedicate

- This resolution combines SR 1034 and 1 House Resolution that was tacked on. All of the resolutions dedicate either bridges or portions of road throughout the state.
- **Authored By:** Sen. Greg Goggans
- **Committee Action:** Do Pass by Committee Substitute

Ways & Means

SB0545 Bingo Games; nonprofit, tax-exempt organization; provide definition

- This bill redefines the term "nonprofit, tax exempt organization" in relation to bingo games so that the proceeds from bingo games conducted by these organizations must be used solely within the state.
- **Authored By:** Sen. Jeff Mullis
- **Committee Action:** Do Pass

SB0597 Tax Appeal Procedures; recovery of certain appeal costs by taxpayer; change provisions

- This bill allows for recovery costs on a valuation appeal by a taxpayer if the final determination of value on appeal is 85% or less of the valuation set by the county board of tax assessors. Current law requires the county board of equalization to set the value. The substitute changed the effective date from July 1, 2006 to upon the Governor's signature.
- **Authored By:** Sen. Chip Pearson
- **Committee Action:** Do Pass by Committee Substitute